

UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

In re: Robert Porter, Jr. : Chapter 7

Debtor

: Bky. No. 22-12733-mdc

**Withdrawal of Motion for Contempt
Against Midland Credit Management**

To the Clerk

Please withdraw the debtor's Motion for Contempt Against Midland Credit

Management as having been having been settled.

s/Lawrence S. Rubin, Esquire

Lawrence S. Rubin, Esquire
Attorney for Debtor
337 West State Street
Media, PA 19063
Phone No: (610) 565-6660

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ORDER

Upon consideration of a contempt motion filed by the debtor and after a hearing thereon, the court finds that Midland Credit Management received actual notice of the bankruptcy case and the discharge, and despite that knowledge, continued to attempt to collect a debt in violation of the discharge injunction under 11 U.S.C. § 524(a)(2).

It is therefore Ordered that:

Midland Credit Management is found to be in deliberate and wilful contempt of the discharge order and its injunction,

Midland Credit Management shall pay to the debtor damages in the amount of \$ _____, and in addition

Shall pay counsel fees to the debtor's attorney in the amount of \$ _____, and additionally

Midland Credit Management shall further pay the debtor punitive damages in the amount of \$ _____.

Magdeline D. Coleman, Chief Bankruptcy Judge

Dated: _____, 2023

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Certification of Service

I hereby certify service of the foregoing motion upon the following parties by regular mail this February 8, 2023

Midland Credit Management
Attention: Chief Compliance Officer
P.O. Box 939069
San Diego, CA 92193

s/Lawrence S. Rubin, Esquire

Lawrence S. Rubin, Esquire
Attorney for Debtor
337 West State Street
Media, PA 19063
Phone No: (610) 565-6660

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Notice of Motion Response Deadline and Hearing Date

Lawrence S. Rubin, Esquire has filed a Motion for Contempt with the court.

1. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney).

2. If you do not want the court to grant the relief sought in the Motion or if you want the court to consider your views on the Motion, then on or before Wednesday, March 1, 2023 you or your attorney must file a response to the Motion. (see below).

3. A hearing on the Motion is scheduled to be held on March 8, 2023 at 10:30 a.m., before the Honorable Chief Judge Magdeline D. Coleman. **This shall be a telephone hearing. To participate dial 1.877.336.1828 and use access code 7855846.** Unless the court orders otherwise, the hearing on this contested matter will be an evidentiary hearing.

4. If you do not file a response to the Motion, the court may cancel the hearing and enter an order granting the relief requested in the Motion.

5. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether the hearing has been canceled because no one filed a response.

6. If a copy of the motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney whose name and address is listed below.

Filing Instructions

7. If you are required to file documents electronically by Local Bankruptcy Rule 5005-1, you must file your response electronically.

8. If you are not required to file electronically, you must file your response at

U.S. Bankruptcy Court
Clerk's Office United States Courthouse
900 Market Street
Philadelphia, PA 19107-4295

9. If you mail your response to the bankruptcy clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated in Paragraph 2 on the previous page of this Notice.

10. On the same day that you file or mail your Response to the Motion, you must mail or deliver a copy of the Response to the movant's attorney:

Lawrence S. Rubin, Esquire
337 W State Street
Media, PA 19063
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